Content

Title： Regulations Governing Accreditation and Management of Professional Response and Consulting Agencies (Organizations) for Toxic and Concerned Chemical Substances Environmental Incidents Ch

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Legislative： 18 articles promulgated by the Environmental Protection Administration Order Huan-Shu-Hua-Tzu No. 1098000093 on March 3, 2020.

Content：

Article 1 These Regulations are enacted in accordance with provisions of Article 6, paragraph 2 and Article 37, paragraph 3 of the Toxic and Concerned Chemical Substances Control Act (hereinafter referred to as this Act).

Article 2 The response or consulting organizations referred to in these Regulations means the following two types of response and consulting agencies (organizations) engaged in response or consulting services relevant to toxic and concerned chemical substances:

Response organizations: Legal persons, agencies (organizations) or groups that perform safety protection, emergency response, detection, recovery, etc. at the incident site when toxic and concerned chemical substances incidents occur.

Consulting organizations: Legal persons, agencies (organizations) or groups that provide related consultations on safety data sheets, chemical substance hazards, safety protection information, etc. that are required for on-site response to toxic and concerned chemical substances incidents.

Response or consulting personnel referred to in these Regulations means professional responders with command, specialist, or technician level qualification certificates obtained in accordance with the Regulations Governing Professional Responders for Toxic and Concerned Chemical Substances, with permanent response or consulting personnel positions in response or consulting organizations.

Article 3 The response or consulting organization shall have one of the following qualifications:

For non-public enterprises, the paid-in capital received is NT$30 million or more for the response organization, and NT$10 million or more for the consulting organization.

Foundations or juridical associations

Public enterprises or government agencies (organizations)

Public (private) colleges and universities

Others recognized by the competent authority

Article 4	The response organization shall have 12 response personnel or more, including 2 command level responders or more, 2 specialist level responders or more, and eight technician level responders or more. One of the command or specialist level responders shall be the supervisor. The consulting organization shall have 8 consulting personnel or more, including 2 specialist level responders or more and 6 technician level responders or more, and one of the specialist level responders shall be the supervisor.
Article 5	The applicant for the response organization accreditation shall submit the following documents: Application form Photocopies of the supporting documents that meet the provisions of Article 3 A photocopy of the identity document of the person responsible Photocopies of the professional responder qualification certificates, photocopies of the labor insurance information forms for insured persons (details), and the consents to query the labor insurance information for the response personnel Photocopies of experience-supporting documents relevant to applied service items for the response organization and personnel Task force, organizational chart and description Software, hardware equipment and vehicles for personal protection, detection, response, recovery, conclusion and communication shall be deployed according to the applied service items and regions; the names, specifications, quantities, places of placement and photos shall be inventoried with photocopies of related supporting documents Location map, layout plan and location of the organization
Article 6	The applicant for the consulting organization accreditation shall submit the following documents: Application form. Photocopies of the supporting documents that meet the provisions of Article 3. A photocopy of the identity document of the person responsible Photocopies of the professional responder qualification certificates, photocopies of the labor insurance information forms for insured persons (details), and the consents to query the labor insurance information for the consulting personnel. Photocopies of experience supporting documents relevant to applied service items for the consulting organization and personnel. Task force, organizational chart and description. Software, hardware equipment for communication or information shall be deployed according to the applied service items and regions; the names, specifications, quantities, places of placement, and photos shall be inventoried with photocopies of related supporting documents. Location map, layout plan and location of the organization.

Article 7	For the response and consulting organization accreditation, the application shall be made to the competent authority of municipality and county (city) where the organization is located; if the service regions involve 2 municipalities or counties (cities) or more, the application shall be applied to the central competent authority.
Article 8	The competent authority shall review the submission of application specified in Articles 5 and 6 in accordance with the following processes and determine whether to accept or reject based on the results of the review: Document review: After receiving the application materials, the competent authority shall notify the applicant of the review fee payment within 7 days, and complete the document completeness review within 30 days from the next day after the review fee is paid. Site survey and field exercise review: After the document review is passed, the competent authority shall notify the applicant of the review fee payment within 7 days, complete the site survey review within 90 days from the next day after the review fee is paid, and complete the field exercise review within 90 days from the next day after the site survey review is passed. If necessary, the competent authority may extend the review period for another 30 days. If the review fee is not paid within the time limit stipulated in the preceding paragraph, the competent authority shall reject its application.
Article 9	For those who fail to meet the requirements for the document review application materials stipulated in paragraph 1, subparagraph 1 of the preceding article, the competent authority shall notify them of rectification within a time limit. The number of rectifications is limited to two times. The number of days for rectification is not specified in the review period, but the total must not exceed 30 days. For those who fail to rectify or rectify completely before the deadline, the competent authority shall reject their applications. For those who fail to pass the site survey or field exercise review stipulated in paragraph 1, subparagraph 2 of the preceding article, the competent authority shall notify them of rectification within a time limit. The number of rectifications is limited to two times. The number of days for rectification is not specified in the review period, but the total must not exceed 90 days. For those who fail to rectify or rectify completely before the deadline, the competent authority shall reject their applications. The competent authority shall produce the certificate within 14 days after completing the review stipulated in the preceding article and Article 12, and notify the applicant of the certificate fee payment and the accreditation certificate pickup.

Article 10	The accreditation certificate shall specify the following items: Name of the organization Name of the person responsible Names of the supervisors Accreditation category Service items Service regions Major equipment Location Expiration date Other matters designated by the competent authority
Article 11	The period of validity of accreditation for the response or consulting organization is 5 years. Those planning to continue operating after the expiration date must first re-apply for accreditation to the competent authority.
Article 12	A change to the accreditation certificate of the response or consulting organization shall be requested within 30 days after the fact reason for the change occurs, in accordance with the following provisions: For changes in the name of the organization, the name of the person responsible, or other matters designated by the competent authority, a change request form shall be filled out, together with relevant supporting documents, to request the change. For changes in supervisor or service items, a change request form shall be filled out, together with relevant supporting documents, for the competent authority to review, and a site survey may be exempted. For changes in service regions, major equipment, and location, a change request form shall be filled out, together with relevant supporting documents, for the competent authority to review, and a field exercise review may be exempted. For those who fail to request changes in accordance with the preceding paragraph, the competent authority shall order them to request the changes within a time limit.
Article 13	In the event of the response or consulting personnel change, the response or consulting organization shall employ a qualified person within 30 days after the reason for the change occurs, and submit relevant supporting documents to the competent authority for reference. However, for a change of specialist or command level personnel, or if the changes result in the accumulated number of response or consulting personnel reaching one-third or more of that at the time of application, a review shall be conducted, and a site survey may be exempted. For those who fail to request changes in accordance with the preceding paragraph, the competent authority shall order them to request the changes within a time limit.
Article 14	In any of the following situations, the response or consulting organizations shall re-apply for accreditation: Changes of accreditation category Changes result in the accumulated number of response and consulting personnel reaching one-half or more of that at the time of application.

Article 15	The response organization shall record the following matters monthly and retain them for 3 years: Number of responses to environmental incidents The name of the premises, the time, location and type of the incident, the number of casualties, the chemical substances involved, the state of the incident and response, and the conclusion and recovery status for each environmental incident. Status of changes in equipment for personal protection, detection, response, recovery, and communication, etc., and vehicles.
Article 16	The consulting organization shall record the following matters monthly and retain them for 3 years: Number of consultations on environmental incidents. Each consultation item, name, method, question category, and content thereof. Status of changes in the types of information and communication equipment required for consultation.
Article 17	The competent authority may revoke the accreditation if the application documents submitted by the contingency or consulting organization have been revoked or misrepresentations have been made. In case of a contingency or consulting organization having any of the following circumstances, the competent authority may nullify its accreditation: Qualification documents of companies, legal persons, enterprises, agencies (organizations), universities and colleges, etc. stipulated in Article 3 have be nullified by the competent authorities for business objectives. There are casualties or environmental pollution incidents investigated and determined by the competent authority to be attributed to the response or consulting organization. Failure to request changes in accordance with the provisions of Article 12, paragraph 1 or Article 13, paragraph 1 which is not improved before the deadline, after being given two notices to make improvements within a time limit granted by the competent authority.
Article 18	These Regulations take effect on the date of promulgation.

Data Source：Ministry of Environment Laws and Regulations Retrieving System